

Interview Summary

Application No.

10/579,360

Applicant(s)

HO ET AL.

Examiner

ERIK KASHNIKOW

Art Unit

1794

All participants (applicant, applicant's representative, PTO personnel):

(1) ERIK KASHNIKOW.

(3) Ray Ashburg.

(2) Rena Dye.

(4) _____.

Date of Interview: 12 March 2010.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Pipes of the instant invention and the prior art that had been subjected to the same test were brought in. The pipes of the instant invention showed no signs of cracking, whereas the pipes of the prior art showed consistent signs of cracking.

Claim(s) discussed: 1.

Identification of prior art discussed: Saxton (US 5,032,632).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representatives brought samples of the claimed pipes and prior art pipes, they showed the differences in the pipes as noted above, and discussed why the pipes showed unexpected results over the prior art. Applicant's representatives also presented a declaration which further highlighted the unexpected results. Further the term "consisting essentially of" as applied to the Saxton reference was discussed. It was agreed that upon a showing that the EVOH in the Saxton reference would alter the material characteristics of the present invention, that the Saxton reference would be overcome.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Rena L. Dye/

Supervisory Patent Examiner, Art Unit 1794